

San Francisco Bay Conservation and Development Commission

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October 5, 2017

TO: Commissioners and Alternates

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SUBJECT: **Additions and Changes to Staff Recommendation of BCDC Permit Application No. 2014.005.01 (Material Amendment No. One), East Bay Regional Park District's Albany Beach Restoration and Public Access Project (Phases 2 and 3)**
(For Commission consideration on October 5, 2017)

Proposed Revisions

The staff would like to make the following revisions to the staff recommendation dated September 29, 2017, to BCDC Permit Application No. 2014.005.01, for park improvements at Albany Beach.

Page 11, Paragraph 2, Line 7:

At the 0.95-acre open use area required herein, the permittee shall maintain landscaping so that it does not exceed two feet in height in order to facilitate use by the public, such as for kite surfer layout activities. In addition, the permittee shall repair damage to public improvements and areas required herein caused by or related to future flooding.

Should be changed to:

At the 0.95-acre open use area required herein, the permittee shall maintain landscaping in order to facilitate use by the public, such as for kite surfers and general park visitor activities. Special Condition II.D.7 further outlines long-term maintenance and adaptation planning for the project site.

Page 12, Paragraph 5, Line 2:

Opaque fencing material is prohibited.

Should be changed to:

Opaque fencing, except slates for dune control fencing, is prohibited.

Page 13, Paragraph 2, Line 1:

Flooding and Sea Level Rise. Of the approximately 4,985-foot-long San Francisco Bay Trail authorized and required herein, an approximately 2,685-linear-foot section is low-lying and not resilient to future flooding.

By November 1, 2032 or ten years following completion of project construction, whichever is earlier, the permittee shall submit to the Commission for its review and consideration a sea level rise and flooding adaptation plan for the 2,685-foot-long portion of the San Francisco Bay Trail and the beach area authorized and required herein. The adaptation plan shall analyze how the public access improvements required herein, including the recreational beach and Bay Trail, have responded to significant flooding events and, if appropriate and necessary, adaptation techniques for any areas experiencing significant inundation and consequent damage or sustained public closures. If the permittee does not propose a feasible adaptation strategy, by November 1, 2033, it shall prepare and propose for the Commission's review and consideration a public access amenity, which is equivalent in size, scope, and purpose to any access required herein that is no longer sustainable or can remain useable by the public due to existing and/or anticipated flooding. Any resulting modifications to the authorized and/or required public access amenities as described in this amended permit may be the subject of a subsequent permit amendment. The permittee shall notify the Commission of flooding events in the annual maintenance reports required in Special Condition II.D.3.

Should be changed to:

Flooding and Sea Level Rise. An area of the improved beach and approximately 2,685 linear feet of the San Francisco Bay Trail are low-lying and not resilient to future flooding.

By November 1, 2032 or ten years following completion of project construction, whichever is earlier, the permittee shall submit to the Commission for its review and consideration a sea level rise and flooding adaptation plan for the 2,685-foot-long portion of the San Francisco Bay Trail and the beach area, and other public access areas authorized and required herein. The adaptation plan shall analyze: (1) how the public access improvements required herein, including the recreational beach and Bay Trail, have responded to significant flooding events; and, (2) potential adaptation techniques for any public access areas experiencing significant inundation and consequent damage, or sustained public closures. If by November 1, 2033, the permittee and the Commission determine it is not feasible to adapt the access required herein, the permittee shall propose and, within one (1) year, provide equivalent access at a nearby location, to the extent that suitable public property is available. Any resulting modifications to the public access areas required herein may result in a subsequent permit amendment.

Page 25, Paragraph 5, Line 1:

An open use area will be constructed with space for all users, including board sailors.

Should be changed to:

An open use area will be constructed with space for all users, including but not limited to board sailors pedestrians, bicyclists, sunbathers, and picnickers.

Page 29, Paragraph 1, Line 1:

The permittee is required, pursuant to Special Condition II.D.3, to submit annual maintenance reports to...

Should be changed to:

The permittee is required, pursuant to Special Condition II.D.3, to submit reports to...